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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 ANA OCEGUEDA,

11 Petitioner,

12 vs.

13 STATE OF NEVADA, *et al.*,

14 Respondents.  
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Case No. 2:15-cv-01884-JCM-GWF

**ORDER**

17 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254  
18 by a Nevada state prisoner.

19 Neither a filing fee nor an application to proceed *in forma pauperis* was submitted with the  
20 petition. When filing a habeas action, petitioner must either submit the \$5.00 filing fee for habeas  
21 petitions or an application to proceed *in forma pauperis*. Due to the lack of an *in forma pauperis*  
22 application or filing fee, the present action will be dismissed without prejudice to the filing of a new  
23 petition in a new action with a pauper application with all required attachments. It does not appear  
24 from the papers presented that a dismissal without prejudice would result in a promptly-filed new  
25 petition being untimely. In this regard, petitioner at all times remains responsible for calculating the  
26 running of the limitations period as applied to his case and properly commencing a timely-filed  
27 habeas corpus action.  
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James C. Mahan  
UNITED STATES DISTRICT JUDGE